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EXAMINER

MEKY, MOUSTAFA M

| ART UNIT | PAPER NUMBER |
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2157

DATE MAILED: 12/03/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/602,431

Applicant(s)

SRINIVAS, NK

Examiner

Moustafa M Meky

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-5, 7 and 11-20 is/are allowed.
- 6) ☒ Claim(s) 1, 6, 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Art Unit: 2157

1. The amendment filed 9/22/2003 has been entered and considered by the examiner.
2. Claims 1-20 are presenting for examination.
3. Claims 2-5, 7 & 11-20 are allowed over the prior art of record.
- 3.1. The prior art of record taken singularly or in combination does not teach or suggest notifying a socket layer of the TCP/IP connection (claims 2, 7, 11, 15, 17).
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
5. Claims 1, 6 & 8-10 are rejected under 35 U.S.C. 102(a) as being anticipated by Denker (US Pat. No. 5,958,053).
6. As to claim 1, Denker discloses a method for establishing a TCP/IP connection between a client and a server such that the server may withstand a SYN flood attack (see col 4, lines 30-33).

The method of Denker comprising:

* receiving a TCP SYN packet including a client IP address requesting the formation of a TCP/IP connection from the client, see col 4, lines 54-55, col 7, lines 12-14, lines 31-32;

Art Unit: 2157

* allocating a small TCP control block (TCB) to service a TCP/IP three-way handshake, see col 4, lines 49-52, col 7, lines 32-36;

* transmitting a TCP-ACK (SYNACK) to the IP address of the client, see col 4, lines 58-60, col 7, lines 36-37.

7. As to claim 6, Denker teaches the limitations of receiving an ACK from the client in response to the TCP-ACK (SYNACK) to complete the establishment of a TCP connection (see col 4, lines 63-65, col 5, lines 6-8, col 8, lines 19-20), and caching route information for the client (see col 8, lines 37-42).

8. As to claims 8-9, Denker teaches allocating a small TCB to serve the TCP/IP three-way connection, see col 4, lines 49-52, col 7, lines 33-35.

9. As to claim 10, Denker teaches receiving an ACK from the client in response to the TCP-ACK (SYNACK) to complete the establishment of a TCP connection (see col 4, lines 63-65, col 5, lines 6-8, col 8, lines 19-20) and allocating a full TCB to serve the TCP connection (see col 5, lines 3-8, col 9, lines 29-33).

Therefore, it can be seen from paragraphs 6-9 that Denker anticipates claims 1, 6 & 8-10.

10. The applicant argues in his remarks that Denker does not teach the step of allocating a small TCB to service a TCP/IP three-way handshake.

10.1. In response to the above argument, Denker teaches the step of allocating a small TCP control block (TCB) to service a TCP/IP three-way handshake, see col 4, lines 49-52, col 7, lines

Art Unit: 2157

32-36 in addition to the step of allocating a full TCB to serve the TCP connection (see col 5, lines 3-8, col 9, lines 29-33). The examiner noticed that the applicant is silent about the step of allocating a full TCB disclosed by Denker and that is indirect conformation from the applicant that Denker discloses the step of allocating a small TCB.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2157

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M. Meky whose telephone number is (703) 305-9697. The examiner can normally be reached on week days from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The fax number for the After-Final correspondence/amendment is (703) 746-7238. The fax number for official correspondence/amendment is (703) 746-7239. The fax number for Non-official draft correspondence/amendment is (703) 746-7240.

M.M.M

December 1, 2003


MOUSTAFI M. MEKY
PRIMARY EXAMINER